

# MEASURE TO PRESERVE THE PUBLIC DOMAIN

## Premier Explains Its Provisions

### Accurate Survey to Be Made as Well as Careful Noting of Soil and Lumber and What is Fitted For—Experts to Be Employed—Government Also to Regulate All Boom and Stream-driving Companies.

Fredericton, N. B., March 16.—The house met at 3 o'clock.

Mr. Sweeney introduced a bill to authorize the city of Moncton to grant certain streets to his majesty for the use of the Intercolonial railway. The bill was read a second time on the ground of urgency.

Dr. Riddick introduced a bill relating to the commissioners of the alms house of St. John; Mr. Murray a bill relating to the town of Newbury.

Hon. Mr. Tweedie gave notice of a resolution relative to the Quebec conference of 1902 with respect to better terms for the provinces of Quebec, Nova Scotia, New Brunswick, Prince Edward Island and Manitoba.

He said that in view of what was reported to have been said in respect to that matter by Sir Wilfrid Laurier in parliament, it might not be necessary to press this resolution. He had telegraphed to Ottawa for a copy of Hansard for the purpose of ascertaining just what he did say.

Hon. Mr. Jones introduced a bill to extend exemption of butter and cheese factories from taxation.

Hon. Mr. Pugsley presented the petition of Thomas Malouin for a bill relating to the Intercolonial Railway Company.

Mr. Murray introduced a bill relating to the Dominion churches in New Brunswick. Mr. Copp presented the petition of Wm. Mitchell and others for an act to incorporate the Maritime Power & Tramway Company.

Hon. Mr. Tweedie introduced a bill relating to the issue of provincial debentures. He explained that it was for the purpose of enabling the province to make a temporary loan. This power was possessed by all the other provinces. On the ground of urgency it was read a second time.

Hon. Mr. Tweedie introduced a bill to confirm letters supplementary granted to the Grand Falls Power Company. On the ground of urgency it was read a second time.

### More Money to Educate the Blind

Hon. Mr. Tweedie introduced a bill to amend the consolidated statutes with reference to the education of the blind. He explained that its object was to increase the allowance from \$75 to \$90.

Mr. Copp presented the petition of M. L. Lodge and others for an act to incorporate the Moncton and Gulf Railway Company.

Hon. Mr. Tweedie introduced a bill in reference to certain consolidated school districts. He explained that its object was to extend the time to three years from the opening of the school, instead of three years from the passing of the act.

Hon. Mr. Tweedie introduced a bill for the better preserving and protection of the public domain. He said: "This is the bill which I presented in the budget speech and it is one which I think will meet with the approval of the house. It proposes a better way of taking care of our forest lands than we have at present."

### Bill to Protect Public Domain

Whereas the crown timber lands of the province consist of about 10,000,000 acres and are of great value and are of great importance and it is desirable in the public interest that all possible measures should be taken for the protection of such lands and to render them of the greatest value to the province.

Be it therefore enacted by the lieutenant-governor and legislative assembly as follows:

1. The lieutenant-governor-in-council is hereby authorized to appoint a sub-committee of the executive council to act with the survey-general in respect to and for the purpose of carrying out the matters herein after provided for, and it shall be the duty of such sub-committee and council to advise the lieutenant-governor-in-council as to the necessary number of competent men who will be charged with the following duties:

(a) To make a complete survey of the crown timber lands of the province, to divide the same into districts, and wherever necessary to run base lines and section lines as may be necessary to divide the same into districts.

"Every one who knows anything of crown lands will recognize the great necessity of having the lines properly run. In old times when the lands were leased they were generally agreed on a conventional line and this process had to go on from year to year as disputes were continually arising. When I became survey-general I began having base lines run and I was only restrained by the cost from having all these lines run at once. From time to time since then we have been running base lines until a good deal has been accomplished.

"My idea is to have base lines run ten miles apart in Restigouche, and they are necessary more square miles of land than we had estimated, so that the all-revenue of the province is more than paid. The expense of the survey. Since the twenty-five year lease came into force the lines have been much better run.

Mr. Hazen—How much do you estimate the cost of the survey?

The cost about \$20,000.

Hon. Mr. Tweedie—I think it will cost from \$15,000 to \$20,000 but if done properly the province will be more than compensated. It is only within the last five or six years that our people began to realize what a valuable asset we possess in our forest. I think it will be best to have these lines run as soon as possible. I will now read the remaining subsections of section one.

(b) To classify such lands and make a thorough and exhaustive report on the same.

(c) To describe as minutely as possible the character and quality of the lumber, to estimate the quantity of each description of lumber in the various sections wherein each of such parties shall perform their work, to report as to the relative growing capabilities of each river and stream, likewise the accessibility of the timber in each section and what requirements are necessary in way of improvements to the streams or otherwise for making such lumber either accessible or more readily accessible and for improving the driving facilities of such streams.

(d) To report, as to the various streams in the respective sections and also the necessity and facilities for the damming or impounding of water in order to give suitable flow during the dry seasons and for the proper driving of logs.

To Report on Character of the Soil.

(e) To describe the location and character of the lands deemed fit for agricultural purposes, distinguishing them from those which may properly be regarded as those or specially suitable for the growing of timber, and if required by the sub-committee and the survey-general to survey and divide off the said lands into 100 acre lots.

(f) To report as to all or any lands in each of such sections containing timber of under sized or scrubby growth and which will not be likely to produce merchantable lumber of the specification provided for by the existing regulations, giving particulars as to the area over which such under sized or scrubby growth extends and the probable quantity of lumber per square mile suitable for pulp wood or other purposes which can be obtained therefrom.

(g) To carefully consider and to report on the relative values of the crown timber lands in each such section held under license at the present time.

### Important Objects.

It will be seen that these are very important objects, classifying the land, ascertaining the nature of the lumber, whether spruce pine or hardwood and its accessibility, things that it is very necessary for us to know. In some districts the quality of the lumber may be good and the conditions favorable to rapid growth, but so difficult of access that its value is greatly impaired.

When we see the difficulty and loss that are caused by lumber being lost up it seems to be the duty of the government to take notice of this fact and endeavor to amend it. If I have anything to do with the administration of this law, I will make sure that competent men to make this survey, men whose reports will be of some value. When we come to a district where the timber is of a very desirable kind and land is being settled that as many families should be got together as possible. This survey will do away with the necessity of another survey when settlers have to be provided for.

The section with reference to under sized and scrubby timber as a very necessary one. We are constantly receiving letters from licensees complaining that parts of their lands are of this character. It is therefore necessary for us to know where such land is situated.

I have always felt that it was an absurdity to put up lands at the same price, some being worth ten times as much as others.

The second section of the act provides for the making of proper plans and maps of the crown timber lands of the province. The third section provides that the lieutenant-governor-in-council may make such regulations as may be necessary to properly protect the lumber industry, subject to the approval of the legislature, and for the extension of existing licenses for such areas as are reasonable and necessary for the permanent carrying on of existing lumbering industries. This is an important matter, which was referred to in my budget speech, that where an operator has made a large outlay in building a mill he should not have to compete with the licensee. If he accepts the terms he will have permanence of tenure.

The fourth clause authorizes the lieutenant-governor-in-council to make regulations requiring the removal from the forest of hemlock trees which have been cut down for their bark. Such trees are a menace to the forest.

Mr. Hazen—I have a letter from an operator in Sanbury county, who has been reading your budget speech, in which it is stated that the tops of hemlock trees must be removed. He says that it would cost him to remove the tops than it would be to haul the logs.

Hon. Mr. Tweedie—There is a misunderstanding here. It is the intention to require the tops to be removed, but only that portion of it which is available and useful. We are not asking lumbermen to do anything that is unreasonable. The company that bought the Richards property is taking out everything that can be made useful and giving what an object lesson to some of our people. The policy we propose is one that will meet the views of all practical men. This, however, is merely an outline, for nothing will be fixed until we have the expert's report.

Mr. Hazen—Where do you expect to find experts fit for this work?

Hon. Mr. Tweedie—I am hardly in a position to answer that question now. If they are to be had in the province we shall of course prefer our own men.

The fifth section authorizes making a regulation where the timber is of species of stunted growth.

The sixth section relates to a forestry convention which we propose to have in this city during the summer. This will be attended, we hope, by all members of the legislature and by others interested in the protection of our forests.

The seventh section gives the lieutenant-governor-in-council authority to make additional regulations against forest fires.

The eighth section authorizes the government to confer with the authorities of Maine and Quebec with the view to facilitate the driving of lumber on the river St. John. Any arrangement that is made being subject to the ratification of the legislature.

The ninth section is as follows:

### To Regulate Boom Companies.

The lieutenant-governor-in-council is also hereby authorized to make regulations in respect to boom companies and all companies having for their object the driving of logs, either by the erection of booms and piers, the storage of material

improvement of streams or otherwise. Such regulations shall provide among other things that all operators upon such streams shall have the privilege of having an abutment in a boom company, by driving a stream improvement company. And the lieutenant-governor-in-council may also in any case order the removal of any boom or pier charged as will give reasonable compensation for the driving, rafting and boomage of logs, after charging reasonable expenses for the purpose and making such just and equitable regulations to be made from time to time. In respect of any such companies the lieutenant-governor-in-council is hereby empowered from time to time as occasion may arise or complaints may be made, to inquire into the management of all boom companies, log driving or stream improvement companies, or other companies having like objects, and if necessary, to appoint commissioners from time to time who shall have power to take evidence under oath and to summon all necessary witnesses.

One of the essential objects and intentions of the regulations to be made shall be the protection of the rights of small operators as well as those of the larger operators upon such streams. This is a matter of great importance and it is the duty of the government and all persons having interests in getting lumber down a stream should participate in the benefits as well as the cost. The smallest operator should be given an equal chance with the larger.

The tenth section authorizes the lieutenant-governor-in-council to reserve from settlement or from licensed crown timber lands at or near the head waters of rivers and streams, such lands as are deemed desirable to preserve and protect the water supply.

The eleventh section authorizes the lieutenant-governor-in-council to make regulations for the protection and preservation of clambeds which are the property of the province under recent decisions of the supreme court. What the lieutenant-governor-in-council may do in relation to the protection and preservation of clambeds which are the property of the province under recent decisions of the supreme court, shall be subject to the approval of the legislature and of the people of the province. It has been prepared with a single desire to benefit the province and to guard the interests of the crown. It is a matter of urgency the bill was read a second time.

Mr. King, from the corporations committee reported having received from the corporations committee a bill to incorporate the Diguequash, Musquash, Bolton, Palmyre and Lacost Stream and Lakes Driving Company.

The house in further consideration of the compulsory school attendance bill passed the section held over last night for amendment when progress was reported on the understanding that the bill would come up on Monday next when the matter of bringing the measure into force in the cities and towns will be considered.

The bill relating to the consolidation of the St. John alms house was read a second time and the house adjourned till tomorrow morning at ten o'clock.

The corporations committee met this morning and agreed to recommend the bill to incorporate the Diguequash, Musquash, Bolton, Palmyre and Lacost Stream and Lakes Driving Company.

The bill which has been substituted for the one which was before the committee some time ago, which contained four sections, and which was amended to incorporate the St. John Water Power Company was discussed and most of its sections passed with considerable amendments. One was before the erection of any dam the plans must be approved by the lieutenant-governor-in-council.

Hon. Mr. Pugsley expressed the opinion that all claims of land owners arising from the overflow of dam, it being before the work commenced, it being the duty of the legislature, and for the extension of the limit that would be overlooked. An amendment will be provided for this.

The bill stands over.

Hon. Mr. Pugsley also intimated that a general act would be introduced to provide for the protection of public domain which would deal with streams. The committee adjourned to meet at the call of the chairman this afternoon.

Fredericton, N. B., March 17.—The house met at 10 o'clock.

Mr. Robertson presented the petition of the city of St. John in favor of a bill respecting the Imperial Dry Dock Company. Mr. Hazen moved to incorporate the town of St. Stephen in favor of their bill.

Hon. Mr. Lablisse presented the petition of Robert G. Gerard, Geo. Dur, Wm. D. Dur, and others for an act to incorporate the Restigouche county, praying that the act to incorporate the Restigouche Boom Company may be amended so that the company may be provided for such land owners as are being damaged by the operations of the said boom company, and in respect to the carrying of such damages or that in some other way legislation may be passed that will give ample protection to such land owners.

Mr. Copp introduced a bill to incorporate the Maritime Power & Tramway Company, and all bills relating to the Gulf and Shore Railway Company. On the ground of urgency, both bills were read a second time. He explained that the bill to incorporate the Maritime Power & Tramway Company was a bill to incorporate a railway from Moncton to Bay Verte.

Mr. Osmán called attention to an article in the Gleaner. He denied most positively that there had been any attempt to stifle inquiry by the committee or by himself as chairman.

The house went into committee on the survey-general's bill for the preventing of fires in connection with the surveys and construction of the National Transcontinental railway, and other railways passing through forest lands in New Brunswick.

Replying to Mr. Hazen, Hon. Mr. Pugsley said the province had no appeal when one of its acts was declared ultra vires, but it was thought best to substitute the present measure for that of last session, which the minister of justice said this house had no right to pass. The minister's contention was that a provincial legislature had no authority to impose restrictions on dominion officers engaged in constructing a dominion work. The provincial government took the ground that it had the right to make regulations with that there had been any attempt to stifle inquiry by the committee or by himself as chairman.

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Hon. Mr. Pugsley—There is a way of reaching the courts.

Hon. Mr. Hazen—Can we do nothing to protect our domain against Ottawa encroachment? Has the government the right to take our crown lands for clearing sites, etc., without paying one cent thereof?

Hon. Mr. Pugsley—The question of remuneration has not arisen, but it is most likely the dominion would say for what had it took for railway purposes. The courts have held that the power to charter railways connects various provinces

with it in the right to expropriate lands for the route, etc.

Mr. Hazen—Will the government seek compensation?

Hon. Mr. Pugsley—That question has not yet come up. The bill was agreed to.

The railway subsidy bill was then committed. The first section authorizes an extension of the present act from Cross Creek to the village of Stanley.

Hon. Mr. Tweedie, in reply to Mr. Hazen, said that it was thought best to extend the road as far as possible so as to reach certain lumber lands that would make the line more profitable. It would also touch lands fit for settlement purposes. The dominion government has subsidized the road.

Mr. Hazen—My advice is that this extension leaves the road narrower, simply leave it in the woods. There will be no passenger traffic, and the road can be constructed for the subsidies.

Hon. Mr. Pugsley—It is the greatest fallacy to say that the road can be built for the subsidy. Even on the prairie lands, which are perfectly level, it costs more than double the amount of the subsidies to build a road to carry a load of lumber. The road is now being operated at a loss, and these additional five miles of railway are provided to give it sufficient traffic to keep it alive.

Mr. Hazen had been advised that in five years there would be business over the new section now proposed, and that it would drag down the entire line. His informant was a gentleman in whose judgment he had confidence, and he believed this subsidy to be a waste of money.

Mr. Whitehead said large delegations of the people of Stanley, the Fredericton city council, board of trade, and the Salvation Army had applied for the subsidy.

Mr. Hill had opposed the original bill on the ground that a road six miles long would have a considerable amount of big feeders, could not possibly pay.

Mr. Whitehead—How long is the Milltown branch?

Mr. Hill connects with the C. P. R. with the Maine Central, and the general system of American roads, and is therefore a useful and necessary road.

In the opinion of Mr. Haggart, parliament alone could give authority for such expenditure. He agreed with the Minister's statement that the I. C. R. was a bankrupt concern. That was the whole truth of the matter.

Taking up the statement of Sir Thomas Shaughnessy in regard to capital, Mr. Haggart disputed the statement that Mr. Emmerson was following the same principle. There was an amount of \$300,000 that had been expended in connection with the laying of new rails which, had the C. P. R. system been adopted, would have been charged to revenue. There were some other things to be done for the purpose of being a pack horse, as it were, to carry the road to revenue.

There were \$284,000 charged to capital for strengthening bridges which would have been charged to revenue. Mr. Haggart declared that the road was a bankrupt concern. All expenditures along the line for everything should have been charged to revenue. There should be no capital expenditure. For the past nine years \$24,000,000 was spent on the I. C. R. It was a political machine and instead of being a pack horse, as it were, to carry the road to revenue, it was a "pack track."

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He spoke of the road as a sink hole and said that a committee should be appointed to investigate the road. He said that it was a political machine and instead of being a pack horse, as it were, to carry the road to revenue, it was a "pack track."

Section four extends the time two years for the construction of a line of railway from the St. Francis branch of the Transcontinental railway to the Quebec wharf. The bill as a whole was agreed to without amendment, as were the bills respecting the education of the blind; and the act to confirm the supplementary letters patent of the Grand Falls Power Company, Ltd.; amending the act respecting the education of the blind; and the act to consolidate certain school districts in Kings county.

The bill to incorporate the Diguequash, Musquash, Bolton, Palmyre and Lacost Stream and Lakes Driving Company was explained by Hon. Mr. Hill, and agreed to. The bill to incorporate the Maritime Power & Tramway Company was explained by Hon. Mr. Hazen, and agreed to. The bill to incorporate the Gulf and Shore Railway Company was explained by Hon. Mr. Hazen, and agreed to.

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Heavy Snow Storm in the West.

Kansas City, Mo., March 19.—An unusually heavy snow storm prevails in the southwest tonight. The storm, accompanied by a stiff north wind, began early today and up to a late hour continued unabated. Street car traffic in Kansas City and other Kansas and Missouri cities was stopped or interrupted. Railway trains in every direction were delayed.

Fifteen deaths took place in the city last week. The causes were: Consumption, cancer, cholera, diphtheria, pneumonia, bronchitis, pneumonia, convulsions, heart failure, broncho-pneumonia, abdominal tumor, inflammation of brain, debility and erysipelas, obstruction of circulation, grippe and heart failure, one each.

Replying to Mr. Hazen, Hon. Mr. Pugsley said the province had no appeal when one of its acts was declared ultra vires, but it was thought best to substitute the present measure for that of last session, which the minister of justice said this house had no right to pass. The minister's contention was that a provincial legislature had no authority to impose restrictions on dominion officers engaged in constructing a dominion work. The provincial government took the ground that it had the right to make regulations with that there had been any attempt to stifle inquiry by the committee or by himself as chairman.

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# WAR DEBATE ON INTERCOLONIAL

## Haggart Says the Road is Bankrupt and Should Be Got Rid Of.

### H. J. LOGAN REPLIES

### George W. Fowler Says There is No Sentiment in Canada Against Keeping the Line, But There Are Too Many Employees—Laurier Explains Cabinet Changes.

Ottawa, March 16.—(Special)—When Hon. John Haggart resumed his speech on the Intercolonial Railway today he took strong exception to the carrying of lay free to the farmers of Prince Edward Island. It was done during election time, and he was told some of the money was carried free to Sydney and then sold in Newfoundland by speculators. This was one of the ways of securing votes for the low freight rates were arranged in the first place to carry on the work of the confederation. Ontario and not the maritime provinces got the benefit of these rates. They were arranged for the good of Canada. The government maintains that the road shall be operated as a government railway.

As far as patronage was concerned, and there was a considerable mileage of the I. C. R. in his constituency, he would be better without it. The road was a pack horse, as it were, to carry the road to revenue. It was a "pack track."

The only hope left for the road was that some one outside the maritime provinces should be placed in charge of the road. Mr. Haggart declared that the road was a bankrupt concern. All expenditures along the line for everything should have been charged to revenue. There should be no capital expenditure. For the past nine years \$24,000,000 was spent on the I. C. R. It was a political machine and instead of being a pack horse, as it were, to carry the road to revenue, it was a "pack track."

He spoke of the road as a sink hole and said that a committee should be appointed to investigate the road. He said that it was a political machine and instead of being a pack horse, as it were, to carry the road to revenue, it was a "pack track."

Section four extends the time two years for the construction of a line of railway from the St. Francis branch of the Transcontinental railway to the Quebec wharf. The bill as a whole was agreed to without amendment, as were the bills respecting the education of the blind; and the act to confirm the supplementary letters patent of the Grand Falls Power Company, Ltd.; amending the act respecting the education of the blind; and the act to consolidate certain school districts in Kings county.

The bill to incorporate the Diguequash, Musquash, Bolton, Palmyre and Lacost Stream and Lakes Driving Company was explained by Hon. Mr. Hill, and agreed to. The bill to incorporate the Maritime Power & Tramway Company was explained by Hon. Mr. Hazen, and agreed